

Remarks/Arguments

In response to the Notice of Non-Compliant Amendment, the canceled claims from the parent case are now mentioned in the listing of claims and in the remarks below.

Original Claims 1 - 8 were previously canceled in a preliminary amendment filed with this divisional application.

Claims 9 - 13, drawn to the non-elected group I for examination purposes are canceled without prejudice.

The claims are amended to overcome the informality objections.

Claims 17, 21, 27 and 28 are indicated to have allowable subject matter and are now written in independent form. Therefore, claims 17, 21, 27 and 28, and claim 22 dependent from claim 21, are believed to be in order for allowance.

With regard to the rejection of claim 14 over Bierwith (5,134,793), please note that his tooth (36) cannot be mounted in a mounted position independently of fasteners. See shear pin 44 in wedge block 24. In addition, the adapter 12 is held in place by a wedge 22 and C-clamp 26. The tooth 36 is held by a retaining pin 38 to the front end of the adapter 12. For clarification, claim 14 is amended to specify that a retainer-engaging area is located in the mounting portion and fixed with respect to the sweep. By contrast, Bierwith shows a bucket tooth with a separate wedge (22) that is not fixed with respect to the earth-working element.

Claim 18, also rejected over Bierwith, includes the limitation of a generally fastenerless connection of the sweep in a mounted position on a tool support of a shank. The Bierwith tooth is not mounted independently of fasteners and requires a shear pin 44, wedge block 24, and retaining pin 38. Further, claim 18 is amended to set forth that the one-way ratchet structure is integral with the mounting stem. In Bierwith, the notches 74 are in a separate wedge 22 and are not integral with a

mounting stem of a tool. Therefore, claim 18 and claims 19, 20 and 23 dependent therefrom are believed to be in order for allowance.

Claim 24, rejected over Bierwith, is amended to include that the retainer area is integral with the mounting stem of the sweep and is located on an underside of the mounting stem. Clearly, Bierwith fails to show such a structure. Therefore, claim 24 and claims 25, 26, 29 and 30 dependent from claim 24 are believed to be in order for allowance.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.


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Respectfully,

  
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